

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
SCOTT BUSHMAN

Serial No.: 09/851,905

Filed: MAY 09, 2001

For: RUN-TO-RUN CONTROL
METHOD FOR AUTOMATED
CONTROL OF METAL
DEPOSITION PROCESSES

Group Art Unit: 2125

Examiner: R. JARRETT

Conf. No.: 3951

Atty. Dkt.: 2000.044700/TT3229
CUSTOMER NO.: 23720

**COMMENTS ON EXAMINER'S STATEMENT OF
REASONS FOR ALLOWANCE**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Office Mailed a Notice of Allowance on October 25, 2007, allowing all of the pending claims 1, 3, 5, 7, 9-11, 13, 15, 17, 19-21, 23, 25, 27, 29-41 43, 45, 47 and 49-65. The due date for paying the Issue Fee is January 25, 2008. This paper is being filed concurrently with the payment of the issue fee, on or before the due date, therefore, it is timely filed.

It appears that, for convenience, the Examiner has paraphrased the claimed language in the Reasons for Allowance. While Applicant understands the Examiner's desire to use convenient phraseology, Applicant notes that the proper scope of the claims should be governed based on the express language of the claims themselves in the event there is any inconsistency (actual or perceived) between the claimed language and the Examiner's paraphrasing. Furthermore, words used in the Examiner's paraphrasing should not be construed as claim limitations if the claims themselves do not include the language referenced by the Examiner.

Other references or characterizations made by the Examiner in his Reasons for Allowance that are not present in the claims are not to be construed as limitations.

The intended respective scopes of the claims are defined by the respective languages recited in the claims.

Should the Examiner have any questions, the Examiner is invited to call the undersigned attorney at the Houston, Texas telephone number (713) 934-4069.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 23720

Date: November 26, 2007

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